

Trial Section Merits Panel  
BOX INTERFERENCE  
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Paper No. 14

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

BRIAN D. BENNETT  
and WILLIAM MATHEWS  
(08/436,032 and 08/277,722),

Junior Party,

v.

DOUGLAS P. CERRETTI  
and PRANHITA REDDY  
(08/739,333 and 08/271,948),

Senior Party.

Interference No. 104,245

Before SCHAFER, LEE, and TORCZON, Administrative Patent Judges.

TORCZON, Administrative Patent Judge.

**JUDGMENT**

(PURSUANT TO 37 CFR § 1.662(a))

INTRODUCTION

Junior party Bennett "concedes priority" on the sole count to senior party Cerretti, Paper No. 13 at 2.

ORDER

Upon consideration of the record of this interference, it is-

ORDERED that judgment on priority as to the sole count is awarded against junior party Bennett;

FURTHER ORDERED that junior party Bennett is not entitled to a patent containing claims 26 and 28-43 of Bennett's 08/436,032 application, which correspond to the count;

FURTHER ORDERED that Bennett is not entitled to a patent containing claims 40-57 (renumbered as 1-18) of Bennett's 08/277,722 application, which correspond to the count;

FURTHER ORDERED that, based on the record before us, senior party Cerretti is entitled to a patent containing claims 15-18 and 21-44 of Cerretti's 08/739,333 application, which correspond to the count;

FURTHER ORDERED that, based on the record before us, Cerretti is entitled to a patent containing claims 1-4, 7, 8, 11, and 12 of Cerretti's 08/271,948 application, which correspond to the count; and

FURTHER ORDERED that a copy of this decision be given a paper number and be entered in the administrative record of

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Bennett's 08/277,722 and 08/436,032 applications and  
Cerretti's 08/739,333 and 08/271,948 applications.

RICHARD E. SCHAFER  
Administrative Patent Judge

JAMESON LEE  
Administrative Patent Judge

RICHARD TORCZON  
Administrative Patent Judge

BOARD OF  
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